Garrison case subdues prosecutors

A news analysis

By BILL LYNCH

BATON ROUGE — The acquittal of Orleans Dist. Atty. Jim Garrison despite the massive evidence presented during the trial has created an atmosphere of despair among federal prosecutors in Louisiana who have been actively waging war against political corruption.

The federal government, primarily through its Organized Crime Task Force operations, spent a ton of money to bring the controversial district attorney to trial on bribery charges.

U.S. Atty. Gerald J. Gallinghouse, the case's prosecutor, was stunned at the decision.

SO WERE HIS counterparts in the Middle and Eastern districts of Louisiana where ongoing investigations of corruption in state government are hanging fire.

The Garrison verdict has subdued that fire considerably, if not outright quenching it.

Other than the innocence of the district attorney, other things may have contributed to the jury's decision — the Watergate scandal, the Agnew investigation, the longstanding antipathy of Southerners to the federal government.

The Garrison case, which involved months of investigation and the expenditure of untold thousands of dollars, is not the only big case the federal prosecutors have lost since U.S. investigators began cracking down on state officials.

THE FEDERAL action was supposed to fill a void created by the lack of state investigation and prosecution of political corruption.

Only a few months ago, Gallinghouse's office failed in its efforts to convict C. H. "Sammy" Downs, one-time political lieutenant of former Gov. John McKeithen, for payments he allegedly received in the purchase of voting machines by the state.

That case wound up in a hung jury and apparently it has been awaiting the end of the Garrison trial where Gallinghouse has been concentrating his efforts.

Gallinghouse retained jurisdiction over the Downs case because he brought forth the charges before the Middle District was created.

In the Eastern District, U.S. Atty. Don Walter of Shreveport has the trial of W. W. McDougall, chief administrative aide to McKeithen, in the offing.

THE OUTCOME of the McDougall trial may well establish the future course of action by the federal government in seeking to put an end to corrupt practices by state officials.

McDougall is charged with making a false declaration to the grand jury in connection with its probe of insurance commission kickbacks. The trial, postponed from the summer when a key government witness became ill, is now set for Oct. 29.

It will be a tough charge to prove to the satisfaction of a trial jury, but federal prosecutors feel they must bring the one time Civil Service Department director to trial and win if they are to go forward with other aspects of the investigation into state insurance.

Four former lawmakers also were indicted in connection with the state insurance probe.

BUT STILL hanging on the agenda is Walter's investigation of the role played by McKeithen in the splitting of commissions by agents of record with others.

Although the Justice Department refused to permit Walter to move against McKeithen earlier, the Eastern District prosecutor is keeping that case very much alive.

In the Middle District, where the state capital is located and is usually the seat of state government corruption, there are a number of investigations proceeding that could be hampered by the current dispair.

A grand jury has been looking at the Louisiana Office Building Corp., which was created as a vehicle for financing the construction of and purchase of state office buildings.

IN THE current investigation, the grand jury is looking at the payment of $50,000 to a one-time political crony of McKeithen by a Chicago financial house which purchased by negotiation the bonds for the Education Building.

There also is an Antitrust Division investigation of building construction industry practices in the making.

The Antitrust Division has had plenty of acquaintance with Baton Rouge in the past several years with the prosecution of teamster boss Edward Grady Partin and concrete magnate Ted Dunham Jr. It won convictions, but neither man has gone to jail.

One of the most celebrated cases brought to trial by the federal prosecutors was that of Atty. Gen. Jack P. F. Gremillion, Rep. Salvador Anzelmo and businessman Ernest Bartlett in the Louisiana Loan and Thrift Corp. scandal. Here again, the federal action fell on its face before a jury that apparently found it difficult to follow the maze of business-political transactions.

BUT THEY did get Gremillion on a perjury rap. The jurors could more easily understand a simple charge of lying compared to the mystifying ins af outs of complicated conspiracy charges.

While all of this dispair over federal trial failures is settling in, the U. S. oficials also find themselves having to protect their flanks at the hands of a state grand jury.

There is a great deal of pressure from black groups on East Baton Rouge Parish Dist. Atty. Ossie Brown to indict federal agents in connection with the slaying of a black here mistakenly sought by the FBI as an Army deserter. In the last action on that matter, the top FBI agent in the state didn't show up for an appearance before the state grand jury.